

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL HERNANDEZ et al.,

Defendants.

Case No. CR19-203RSM

ORDER CONTINUING TRIAL

On September 8, 2020, Defendant Faustino Islas-Estrada filed a request for a status conference to discuss the impact of COVID-19 on pretrial motions and whether this case can proceed to trial on November 30, 2020. Dkt. #316. Several other Defendants and the Government have joined in that request. Dkts. ##317-321 and #323. On September 23, 2020, the Court issued a Minute Order directing the parties to submit briefing on this issue. Dkt. #327. The Court has now reviewed briefing from the parties and determined that a trial continuance is necessary given the COVID-19 pandemic, the number of defendants, and the other procedural circumstances of this case mentioned by the parties. The Court specifically finds that the ends of justice served by this continuance outweigh the best interests of the public and any defendant's right to a speedy trial, pursuant to 18 U.S.C. §3161(h)(7)(A). The Court further finds that failure to continue this trial would likely make trial impossible and result in a

1 miscarriage of justice, and would deny counsel for defendants the reasonable time necessary for  
2 effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § §  
3 3161(h)(7)(B)(i), (iv).

4 Accordingly, the Court hereby FINDS and ORDERS:

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- 6 1. Trial is CONTINUED to May 24, 2021. The pretrial motion deadline is continued  
7 to March 25, 2021. The time between today's date and May 24, 2021, is excluded in  
8 computing the time within which trial must commence pursuant to 18 U.S.C. §  
9 3161(h).
- 10 2. The Government is directed to submit to the Court a proposed order setting forth a  
11 discovery schedule no later than **seven (7) days** from today's date.  
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13 DATED this 2<sup>nd</sup> day of October, 2020.

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16 RICARDO S. MARTINEZ  
17 CHIEF UNITED STATES DISTRICT JUDGE  
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